

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department - Khammam District – Appeal Petition filed by Sri Dannina Krishna Arjuna Rao S/o Chandraiah, Dy. Range Officer, O/o DFO, Sathupalli, Khammam District and Sri Dannina Ram Mohan Rao S/o Ramulu, Driver, O/o DRO, Bhadrachalam, Khammam District (now Bhadradri Kothagudem District) under Section 7(2) of the Act 16 of 1993 against the Procs.Rc.No.D3-14896/97, dt.19.03.2010, of the District Collector, Khammam District – Dismissed the appeal and uphold orders of the Dist. Collector, Khammam, Procs.Rc.No.D3-14896/97, dt.19.03.2010 - Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 30

Dated: 15-03-2021

Read the following:-

- 1.Proceedings of the District Collector, Khammam District, Rc.No.D3-14896/97, dated 19.03.2010.
- 2.Appeal Petition filed Sri Dannina Krishna Arjuna Rao S/o.Chandraiah, Dy.Range Officer, O/o.DFO, Sathupalli, Khammam District and Sri Dannina Ram Mohan Rao, S/o. Ramulu, Driver, O/o. DRO, Bhadrachalam, Khammam District (now Bhadradri Kothagudem District) , dated 17.05.2010.
- 3.Govt. Memo No.3664/CV.2/2010, dated 22.06.2010 & 17.09.2011.
- 4.The Hon'ble High Court, Hyderabad orders in WP No.11828/2010, dated 10.11.2011.
- 5.Govt. Memo No.3664/CV.2/2010, dated 09.01.2012.
- 6.Appeal petition filed by Sri Dannina Krishna Arjuna Rao, S/o. Chandraiah, Dy. Range Officer, O/o DFO, Sathupalli, Khammam District and Sri Dannina Ram Mohan Rao S/o Ramulu, Driver, O/o DRO, Bhadrachalam, Khammam District (now Bhadradri Kothagudem) through their counsel, dated 27.12.2011.
- 7.Govt.Memo.No.3664/CV.2/2010, dated 12.1.2012.
- 8.From the Collector and District Magistrate, Khammam, Letter Rc.No.D3/14896/1997, dated 19.5.2012.
- 9.Govt.Letter No.3664/TW.LTR/2010,dated 21.07.2015, 10.11.2015 and 22.12.2015.
- 10.Govt.Letter No.3664/TW.LTR.2/2010, Dated 22.01.2016.
- 11.Govt.Memo No. 3664/TW.LTR/2010, Dated 27.06.2016
- 12.Govt.Memo.No.3664/TW.LTR/2010, Dated:10.04.2018.
- 13.Govt.Letter No.3664/TW.LTR/2010,Dt:29.05.2018 , 23.07.2018 & 29.08.2018, 24.02.2020.
- 14.Govt.Appeal Notice No.3664/TW.LTR/2010,Dt:21.09.2020.

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ORDER:

In the reference 1st read above, the District Collector, Khammam District in exercise of the powers conferred under Section 5(1) of the A.P. (SC, ST, BC) Regulation of Issue of Community Certificate Act, 16 of 1993 has cancelled the Scheduled Tribe – YERUKALA (ST) Caste Certificate of Sri Dannina Krishna Arjuna Rao S/o Chandraiah, Dy. Range Officer, O/o DFO, Sathupalli, Khammam District and Sri Dannina Ram Mohan Rao S/o Ramulu, Driver, O/o DRO, Bhadrachalam, Khammam District (now Bhadradri Kothagudem) on the following grounds.

- i. That on an adverse news item appeared in a daily newspaper, the RDO Bhadrachalam had conducted inquiry into the social status of Sri Dannina Krishnarjuna Rao and Sri Dannina Mohan Rao both residents of Gangolu village of Dummugudem Mandal, Khammam District. The RDO Bhadrachalam had studied genealogy of both the individuals and submitted a detailed report to the Dist. Collector, Khammam concluding that Sri Dannina Krishnarjuna Rao and Sri Dannina Mohan Rao do not belong to Yerukala (ST) community and requested to take further necessary action in the matter.

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- ii. Basing on the said enquiry report, show cause notices were issued by the District Collector, Khammam and the individuals appeared before the Joint Collector, Khammam on 04.12.1998 to adduce their evidence in support of their claim.
- iii. Sri Dannina Krishnarjuna Rao & Sri Dannina Mohan Rao had failed to produce substantial evidence to prove their social status as ST (Yerukala). They were summoned to attend before the District Level Scrutiny Committee, Khammam. Almost all the times they were absent and finally they appeared before the DLSC Khammam and filed a joint statement on 06-11-2000.
- iv. The DLSC opined that the matter to be got verified by the Joint Director, TCR&TI, Bhadrachalam and in turn the issue was referred to the Director, TCR&TI, Hyderabad who conducted detailed and in-depth inquiry into the matter and furnished exhaustive remarks along with supporting evidential record.
- v. The enquiry conclusively proved that Sri Dannina Krishnarjuna Rao and Sri Dannina Ram Mohan Rao, residents of Gangolu village of Dummugudem Mandal do not belong to ST (Yerukala) community as claimed by them, but belong to AYYERUKALA caste, which is not recognized under ST category.
- vi. Final show cause notice was issued sending copies of entire record of enquiry and got them served on the individuals through their employers. In reply to the notices, the individuals had filed joint explanation and again failed to furnish any valid or considerable recorded evidence to establish their social status as they belong to ST (Yerukala) community.
- vii. The matter was placed before the DLSC held on 29.07.2002 and the DLSC resolved for cancellation of the YERUKALA ST certificates obtained by Sri Dannina Krishnarjuna Rao and Sri Dannina Ram Mohan Rao as they could not submit any more documentary evidence to consider their social status claim as Yerukala (ST). Accordingly, the District Collector, Khammam had cancelled their caste certificates vide proceedings dt.17.10.2002.

2. Aggrieved by the orders of the District Collector, the appellants had filed an appeal before the Government. The Government after examining the appeal, directed the District Collector, Khammam to place the matter before DLSC afresh and conduct detailed enquiry including grounds on which Sub-Collector's report dt.16.11.1990 was based, and to dispose the case on merits.

3. In compliance to the said orders of the Government in Govt.Memo.No.17511/CV.2/2002-9, dated 28.04.2004, when the matter was referred, the Sub-Collector, Bhadrachalam had conducted comprehensive enquiry on the social status of Sri Dannina Krishnarjuna Rao and Dannina Ram Mohan Rao. During his enquiry at Dummugudem village, both the individuals appeared and deposed. Sri D.Krishnarjuna Rao and Ram Mohan were born at Gangolu village of Dummugudem Mandal and working in Forest Department. They could not speak Yerukala language. They could not tell about any specific rituals/customs followed by Yerukalas. Neither themselves nor their relatives keep pigs which is traditional occupation of Yerukalas. They have not been leading the life of the Yerukala caste people. Incidentally none of their siblings have got Yerukala caste certificates. The villagers deposed that they are not Yerukala. Therefore, the Sub-Collector, Bhadrachalam opined that they do not belong to Yerukala caste and hence, their caste certificates should be cancelled.

4. The Commissioner, Tribal Welfare, Hyderabad had reported that already detailed enquiries were conducted and number of documentary evidences were collected which clearly show that the individuals in question do not belong to Yerukala ST but belong to **Ayyarukala** community. Therefore, no need to conduct one more enquiry and earlier enquiry holds good. It was further reported that the Sub-Collector, Bhadrachalam relied only on oral depositions of certain individuals and there was no documentary evidences adduced during their enquiry. Hence, the Commissioner of Tribal Welfare requested to place the matter before the DLSC as per directions of the Government.

5. The reports of the Sub-Collector, Bhadrachalam and Commissioner (TW), Hyderabad revealed that Sri Dannina Krishnarjuna Rao and Ram Mohan Rao do not belong to Yerukala ST caste but belong to **Ayyarukala** caste which is not declared as ST.

6. Further, basing on the report of the Sub-Collector, Bhadrachalam in Rc.No. A-2106/89, dt.24.10.89, the Yerukala (ST) caste certificate held by Sri Dannina Appa Rao S/o Satyanarayana was cancelled by the District Collector, Khammam vide Procs.Rc.No.B8-23984/89, dt.12.01.1991.

7. Finally, when the matter was placed before the DLSC Khammam, Sri Dannina Ram Mohan Rao (Danni) was physically present when it assembled on 17.10.2008. During cross-examination, he could not even answer simple question with regard to clan, surnames of his community and ethnological traits, questions regarding the statements given by his own uncle and relatives. He pleaded nothing. When questioned by the DTWO Khammam with regard to his clan, Sri Ram Mohan Rao answered his clan as 'PALAKAYA GOTRAM' and secondly when questioned about their traditional occupation, with respect to rearing of Pigs, he replied not aware of traditional/cultural systems.

8. Considering the facts and circumstances of the case, it was straight away decided unanimously by the DLSC that both the claimants failed to prove that they belong to ST Yerukala community. According to Section 6 of Act 16/93, the burden of proof lies on the claimant.

9. The Director (TRI) had also recommended to initiate action against these persons as per rules as the entire information furnished by them do not tally with the information available on Yerukala Tribe. Further, their surnames and as well as Nagula and Tabelu clans are also uncommon among Yerukala Tribe.

10. The contention of being Yerukala caste as claimed by the petitioners was not correct. The DLSC was unable to accept the contentions without circumstantial and corroborative evidence adduced by them anywhere at any given point of time, which inclines towards their claim, even after taking a long chain of time by dragging their claims into multiple snags in various forms at various levels.

11. Basing on the facts available on record and cross-examination made by the DLSC, Khammam, it came to a final decision unanimously to resolve and cancel the Caste Certificate No.C/551/89, dated 23.9.1989 (as YERUKALA-ST) by MRO Kunavaram & Rc.No.Nil, dt.25.4.1989 by MRO Bhadrachalam to Ram Mohan Rao and Rc.No.C/3265/79, dated 4.9.1979 (as YERUKALA-ST) to Danni Krishnarjuna Rao S/o late Chandraiah.

12. In view of the above, the Collector & Dist. Magistrate, Khammam exercising powers under Rule (9) of AP (SC/ST&BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, SW (J) Department, dt.12.05.1997 r/w Section 5 (1) of AP (SC,ST&BCs) Regulation of Issue of Community Certificates Act 16/1993, cancelled the false YERUKALA (ST) Certificates issued to Sri DANNINA KRISHNARJUNA RAO S/o CHANDRAIAH R/o Dummugudem Mandal and caste

certificate issued by Tahsildar, Kunavaram in R.Dis.No.C/551/89, dt.23.09.1989 and Tahsildar, Bhadrachalam in R.Dis.No.Nil, dt.25.04.1989 issued to Sri Dannina Mohan Rao S/o Ramulu R/o Gangolu (v) of Dummugudem Mandal with immediate effect. Accordingly, Notification was issued under Rule (9) (7) of Rules, 1997 r/w section 5 (1) of Act 16/1993 declaring the individuals not belong to YERUKALA (Scheduled Tribe) community vide Procg.No.D3-14896/97, dt.19.03.2010.

13. In the reference 2nd read above, Sri Dannina Krishna Arjuna Rao S/o Chandraiah, Dy. Range Officer, O/o DFO, Sathupalli, Khammam District and Sri Dannina Ram Mohan Rao S/o Ramulu, Driver, O/o DRO, Bhadrachalam, Khammam District (now Bhadradri Kothagudem) have filed an appeal petition before the Government under section 7(2) of the Act 16 of 1993 against the Proceeding of the District Collector, Khammam District dated: 17.05.2010 urging the following grounds:

- The Government in its Memo.dt.28.4.04 – (a) directed the 1st respondent to conduct a detailed enquiry (b) including the grounds on which the Sub-Collector's report dated 16.11.1990 was based and (c) to dispose the case on merits.
- The District Collector (R1) did not conduct any detailed enquiry as per these directions of Government.
- From the 1st respondent order dt.19.3.2020 it was stated as follows:

“Respecting the orders of the Government dated 28.4.04; the matter was once again referred to the Sub-Collector, Bhadrachalam for discrete enquiry.

The Commissioner, Tribal Welfare, Hyderabad has reported that already detailed enquiries were conducted and collected number of documentary evidences which clearly show that we in question do not belong to Yerukala Scheduled Tribe as claimed by us, but belong to Ayyarukala community. Therefore, no need to conduct one more enquiry and earlier enquiry still holds good”.

- Therefore, it is evident from the above 'NO DETAILED ENQUIRY WAS CONDUCTED' neither on their caste certificate nor on the grounds on which Sub-Collector Report dt.16.11.90 was based.
- In the entire order of the 1st respondent (the District Collector, Khammam) dated 19.3.2010, there is no whisper that detailed enquiry was conducted on the report dated 16.11.90 and disposed on merits of the case.
- The discrete enquiry report of Sub-Collector, Bhadrachalam was not supplied along with the order dated 19.3.2020 of 1st respondent. (the District Collector, Khammam) This report was not served till date as such it was in violation of principles of natural justice.
- The procedure for conducting detailed enquiry as envisaged under Rule 8 (a) to (d) of AP (SC, ST and BC) Issue of Community Certificate Rule, 1993 were not followed and totally violated.
- The procedure for conducting the detailed enquiry as envisaged under Rule 9 (1) to (7) of AP (SC, ST and BC) Issue of Community Certificate Rule, 1993 were not followed and totally violated.

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- The procedure adopted by the 1st respondent (the District Collector, Khammam) was in violation of Rules, directions given in the Govt. Memo. Dt.28.4.2004 and in total violation of principles of natural justice.

14. Therefore, for the facts and grounds submitted as above, the appellants prayed to set aside Procs.No.D3-14896/97, dated 19.3.2010 received on 8.5.2010 as illegal, arbitrary, violative of principles of natural justice, violative of Rules 8 (a to d) and Rule 9 (1 to 7) of the AP (SC, ST and BC) Issue of Community Certificate Rules, 1993 and in violation of the directions given by the Government in Memo.dt.28.4.2004 and pass such order or orders.

15. In the reference 3rd read above, Government have admitted the appeal petition of the Appellant and Stay rejected and requested the District Collector, Khammam to furnish Para-Wise Remarks and connected original records on the appeal petition.

16. In the reference 4th & 5th read above, the Appellants had filed WP No.11828 of 2010 and obtained interim suspension of the Procs.Rc.No.D3-14896/97, dated 19.3.2010 of the District Collector, Khammam, on 26.5.2010. Thereafter, the said WP No.11828 of 2010 was dismissed on 10.11.2011 and as a sequel to the dismissal of the writ petition, interim order dated 26.5.2010 also vacated.

17. In the reference 6th read above, Sri Dannina Krishna Arjuna Rao S/o Chandraiah, Dy. Range Officer, O/o DFO, Sathupalli, Khammam District and Sri Dannina Ram Mohan Rao S/o Ramulu, Driver, O/o DRO, Bhadrachalam, Khammam District have filed an appeal petition through their Counsel before the Government for seeking stay orders on the proceeding of the District Collector, Khammam Procg.No. Rc.No.D3-14896/97, dated 19.3.2010, and stay was granted in the reference 7th cited.

18. In the reference 8th cited, the Collector & District Magistrate, Khammam has submitted the following remarks through his letter Rc.No.D3/14896/1997, dt.19.05.2012.

- The DLSC Khammam after due procedural formalities, have resolved for cancellation of the Caste Certificate treating that the certificates were obtained fraudulently though they do not belong to ST Yerukala. Basing on the decision of the DLSC, the Collector & District Magistrate, Khammam has cancelled their certificates vide Proc.No.D3/14896/97, dt. 17.10.2002.
- The Secretary, SW (CV.2) Department, has issued stay orders on the proceedings of the District Collector, vide Govt.Memo.No.17511/CV.2/2002-1, dt.26.11.2002 and Government has issued orders vide Memo.No.17511/CV.2/2002-9, dt.28.4.2004 stating that the Sub-Collector report vide D.O.Rc.No.0/3401/90, dt.16.11.1990 the surname of Appa Rao is Danni, whereas the petitioner surname is Dannina. This aspect has to be verified by the competent authority i.e. Collector & District Magistrate to place the matter before DLSC afresh and conduct a detailed enquiry including the grounds on which Sub-Collector's report dt.16.11.1990 was based and dispose the case on merits. The stay granted was also vacated.
- The appeal filed by the appellants before the Government has been examined and reminded to the District Collector, Khammam to place before DLSC afresh vide Govt.Memo.No.7035/CV.2/2004-1, dt.8.7.2004.
- Matter was referred to the Director, TCR& TI, Hyderabad for enquiry on the basis of the Sub-Collector, Bhadrachalam Report dt.16.11.1990.
- The Commissioner (TW), T.S.Bhavan, Masab Tank, Hyderabad has addressed
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the Collector & District Magistrate, Khammam stating that the Department has already conducted detailed enquiries and collected number of documentary evidences which clearly show that the individuals in question do not belong to Yerukala ST but belong to Ayyarukala Community. Further, the surname of Danni of Appa Rao and the surname of Krishnarjuna Rao and Ram Mohan is Dannina which are at variance and the relationship was also not established properly and also requested to place the matter before the DLSC.

- When referred again to the Sub-Collector, Bhadrachalam, it was reported that Sri D.Krishnarjuna Rao is resident of Sathupalli and D.Mohan Rao is resident of Mothugudem. Both are employed in Forest Department and they cannot speak Yerukala language. They could not tell about any specific rituals/customs followed by Yerukalas. Neither they nor their relatives keep pigs which is traditional occupation of Yerukalas. Neither they nor their relatives can weave baskets. In fact they are not leading the life of traditional Yerukala caste people. Incidentally none of their sibs have got Yerukala caste certificates. Some villagers have deposed confirming all the above facts. Sri Dannina Babu Rao, Degala Sanjeeva Rao, Dannina Satyanarayana, Kusini Rajaratnam, Tirupati Durga Rao have deposed that they are not Yerukalas. The Sub-Collector, Bhadrachalam opined that Dannina Krishnarjuna Rao and Dannina Rammohan Rao do not belong to Yerukala Caste and Caste Certificates issued to them should be cancelled.
- Form V notices were issued to the appellants to attend before the DLSC on 7.3.2008 – likewise four times notices were issued to attend the DLSC meeting.
- DLSC came to a final decision unanimously and resolved to cancel the Caste Certificate issued vide C/551/89, dt.23.9.1989 (as Yerukala-ST) from MRO Office, Kunavaram and Rc.No.Nil, dt.25.4.1989 from MRO Bhadrachalam to Ram Mohan Rao & Rc.No.C/3265/79, dt.4.9.1979 (as Yerukala-ST) to Danni Krishnarjuna Rao S/o late Chandraiah and DLSC proposed to initiate departmental disciplinary proceedings against the claimants and certificate issuing authorities and also resolved to book a cheating case against the claimants.
- As per resolution passed by the DLSC, under Rule 9 (7) of AP (SC/ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 communicated vide GO Ms.No.58, SW (J) Dept. dt.12.05.1997 read with section 5 (1) of AP (SC/ST/BCs) Regulation of Issue of Community Certificates Act 16/1993, the false YERUKALA (ST) caste certificate issued by Tahsildar, Nugur in R.Dis.No.C/3265/1979, dt.04.09.1979 in favour of Sri DANNINA KRISHNARJUNA RAO S/O CHANDRAIAH R/o Dummugudem Mandal, caste certificate issued by Tahsildar, Kunavaram in R.Dis.No.C/551/89, dt.23.09.1989 and Tahsildar, Bhadrachalam in R.Dis.No.Nil, dt.25.04.1989 in favour of Sri Dannina Mohan Rao S/o Ramulu R/o Gangolu (v) of Dummugudem Mandal were cancelled declaring them as not belong to YERUKALA (ST) community vide District Collector, Khammam Procs.No.D3-14896/97, dt.19.03.2010.
- Aggrieved with the cancellation orders, the appellants have approached the Hon'ble High Court and filed WP. The Hon'ble High Court has granted interim suspension orders in WP No.11828/2010, dt.26.5.2010. Later, after hearing the case, the Hon'ble High Court dismissed the WP vide its order dt.10.11.2011 observing that when the appellants approached before the
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DLSC on 17.10.2008, they could not even answer simple questions with regard to clan, surnames and ethnological traits. While answering to another query regarding their clan, they stated that they belong to 'Palakaya' Gothram and not aware of traditional occupation i.e. rearing of pigs, traditional/cultural systems. By observing the above, the Hon'ble High Court has mentioned that "no interference is warranted by the Court and accordingly the WP was dismissed". The interim suspension order was also vacated vide order dated 20.11.2011.

- The Sub-Collector, Bhadrachalam had recorded statements of Sri Karri Appa Rao S/o Sivaiahpathrudu R/o Laxminagaram, Sri Peddiredla Appa Rao S/o Somannapatrudu R/o Gangolu relative of Sri Dannina Krishnarjuna Rao and Rammohan Rao, Sri Danni Satyanarayana S/o Pentaiah R/o Gangolu village, Sri Kusini Rajaratnam S/o Veeranna, Sri Degala Sanjeeva Rao S/o Venkaiah, Sri Dannina Babu Rao who deposed that they belong to Ayyerukala.
- As per Section 6 of Act 16/1993, the burden of proof lies on the applicant who claims the caste – the petitioners even after giving long chain of opportunities by the DLSC, Khammam, failed to prove that their caste is YERUKALA (ST). The person who gains/claims an advantage on the basis of community certificate must be ever ready to establish his claim. They clearly mis-utilised the opportunities given to them and did not adduce any proper evidence or submit material papers in support of their claim and thus miserably failed to establish their caste status as ST YERUKALA in spite of sufficient opportunity.
- It is not correct to say that the proceedings in Rc.No.D3/14896/1997, dt.19.03.2010 and the consequential notification issued thereon by the respondent is contrary to law. The orders were issued only after calling for the reports from the subordinate officers, Director TCR&TI, Hyderabad and after conducting DLSC headed by the Joint Collector by giving ample of time to the appellant for establishing their claim, the proceedings were issued under the provisions of Act 16/93. As such, the contention of the appellant is far from truth, baseless and contains no essence.
- After passing of the resolution by the DLSC Chairman and Members, orders will be passed by the Dist. Collector and the order is in accordance with the law.
- The averments made by the appellants are baseless to say that the Sub-Collector, Bhadrachalam has conducted enquiry behind back of the appellant. The burden of proof lies with the appellants. Enough opportunities were offered to the appellant by the DLSC and all the times the appellants have failed to adduce considerable recorded evidence in support of their social status claim.
- Section 5 (1) of AP (SCs, STs and BC) Regulation of Issue of Community Certificates Act, 1993 – where before or after commencement of this Act, a person not belonging to any of the SCs, STs or BCs obtained a false Community Certificate to the effect that either himself or his children belongs to such castes, Tribes or classes, the Dist. Collector may either suo-moto or on a written complaint by any person, call for the record and enquire into the correctness of such certificate and if he is of the opinion that the certificate was obtained fraudulently, he shall, by notification, cancel the certificate after giving the person concerned an opportunity of making a representation: Provided that where an enquiry into the genuineness of a community certificate issued prior to the commencement of this Act has commenced and
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is pending at such commencement the record thereof shall be transferred by the concerned authority to the District Collector and he shall continue the enquiry and conclude the same under this sub-section.

- In the instant case, the appellants have dragged the matter years together at DLSC level and failed to prove their community status. After observing due procedure, the Collector had cancelled the bogus Caste Certificates of the appellants.
- Aggrieved with the orders, the appellants have 1st preferred an appeal before the Government in which orders of the Collector were not questioned. Again they have approached the Hon'ble High Court – and there also they could not succeed to get orders in their favour. This is 3rd time again they approached the Government.
- In the orders of the Hon'ble High Court passed in WP No.11828/2010, dt.20.11.2011, it was clearly discussed about their caste status and not considered their plea on the other hand the Court upheld orders of the Collector in cancelling the ST Caste Certificate.

19. Therefore, the District Collector, Khammam prayed the Government to vacate the stay and uphold orders passed for genuinely protecting legitimate benefits of STs by the plainsmen who are trying to grab the benefits for the social status of ST communities, where some social disabilities, economical backwardness, educational backwards are prevailing. If these types of persons are let out freely without being prosecuted and punished, it would go to a greater amount of shaking the confidence of the people, who still keep faith in the delivery and apex mechanism. Hence, prayed to dismiss the appeal filed by Sri Dannina Krishnarjuna Rao and Sri Dannina Rammohan Rao in the interest of justice.

20. In the reference 9th -10th cited, notices were issued to concerned and hearings were conducted on the following dates. Both appellants and their counsel were called absent.

24.08.2015 Postponed. Appellants and their counsel not attended.

19.12.2015 Counsel present – adjourned.

02.01.2016 Postponed. Appellants and their counsel not attended.

06.02.2016 Appellants and their counsel called absent.
TCR&TI has been directed to conduct enquiry and submit report in one month.

21. In the reference 11th cited, the CTW. TS, Hyderabad/ the Director, TCR&TI, Hyderabad has been requested to submit the enquiry report on the issue within one month for taking further action in the matter.

22. In the reference 12th cited, notice has been issued to concerned and hearing conducted, both appellants and their counsel called absent. Stay granted by the Govt.was vacated, and the matter has been adjourned to 23.6.2018.

23. In the reference 13th – 14th cited, notices have been issued to concerned every time, both appellants and their counsel have been called absent.

24. The Government has examined the evidences available on record, and observed that the case is pending for adjudication before the Government since 10 years and many times the appellants and their counsel have been called absent. Like before the District Collector, Khammam, they have been trying to drag on the case before the Government also for no valid reason. The grounds put forth by them in the Appeal do not sound any substantiation that they belong to Yerukala ST community. Even the Hon'ble High Court also made clear findings in their orders dt.20.11.2011 about their failure and dismissed the WP No.11828/2010 duly vacating the stay granted.

25. Therefore, Government after careful examination of the appeal petition and the facts stated supra and in exercising powers under Rule (9) of AP (SC/ST&BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, SW (J) Department, dt.12.05.1997 r/w Section 5 (1) of AP (SC,ST&BCs) Regulation of Issue of Community Certificates Act 16/1993 hereby Dismiss the appeal petition of appellants 1) Dannina Krishnarjuna Rao S/o Chandraiah and 2) Dannina Rammohan Rao S/o Ramulu duly upholding orders of the District Collector, Khammam in Procs.Rc.No.D3-14896/97, dt.19.03.2010.

26. The District Collector, Khammam shall take necessary action in the matter.

27. The records (containing No.D3-14896/1997, dated 19.05.2012, pages 1218) received from the District Collector, Khammam through 8th read above are returned herewith to District Collector, Khammam and requested to acknowledge the receipt of the same immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

1. The District Collector, Khammam District (w.e) (By RPAD)
2. The District Collector, Bhadradi Kothagudem District.
3. Sri Dannina Krishna Arjuna Rao S/o Chandraiah,
Dy. Range Officer, O/o D.F.O., Sathupalli,
Khammam District (By RPAD)
4. Sri Dannina Ram Mohan Rao S/o Ramulu, Driver,
O/o DRO, Bhadrachalam, Khammam District
(now Bhadradi Kothagudem District) (By RPAD)

Copy to:

The Conservator of Forest, Khammam District
(for information and necessary action)
The Conservator of Forest, Bhadradi Kothagudem District
(for information and necessary action)
The Principal Chief Conservator of Forests, TS, Hyderabad (for information)
Additional Director General of Police, CID, TS, Hyderabad (for information)
The Commissioner of Tribal Welfare, TS, Hyderabad (for information)
The P.S. to Minister for ST Welfare (for information)
The PS to Secretary to Govt. (TW)
The PS to Special Secretary to Govt.(TW)
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER